

**CHAPTER 129****CONSPIRACY***H.F. 375*

**AN ACT** relating to the crime of conspiracy, and providing penalties.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 706.1, Code 1987, is amended by striking the section and inserting in lieu thereof the following:

**706.1 CONSPIRACY.**

1. A person commits conspiracy with another if, with the intent to promote or facilitate the commission of a crime which is an aggravated misdemeanor or felony, the person does either of the following:

a. Agrees with another that they or one or more of them will engage in conduct constituting the crime or an attempt or solicitation to commit the crime.

b. Agrees to aid another in the planning or commission of the crime or of an attempt or solicitation to commit the crime.

2. It is not necessary for the conspirator to know the identity of each and every conspirator.

3. A person shall not be convicted of conspiracy unless it is alleged and proven that at least one conspirator committed an overt act evidencing a design to accomplish the purpose of the conspiracy by criminal means.

4. A person shall not be convicted of conspiracy if the only other person or persons involved in the conspiracy were acting at the behest of or as agents of a law enforcement agency in an investigation of the criminal activity alleged at the time of the formation of the conspiracy.

Approved May 14, 1987

---

**CHAPTER 130****MOBILE HOME CERTIFICATES OF TITLE***H.F. 494*

**AN ACT** requiring mobile home dealers to apply for a certificate of title for certain used mobile homes acquired by the dealers and making penalties applicable.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 321.24, unnumbered paragraph 1, Code 1987, is amended to read as follows:

Upon receipt of the application for title and payment of the required fees for a motor vehicle, trailer, or semitrailer, the county treasurer shall, when satisfied as to the application's genuineness and regularity, and, in the case of a mobile home, that taxes are not owing under chapter 135D, issue a certificate of title and, except for a mobile home, a registration receipt, and shall file the application, the manufacturer's or importer's certificate, the certificate of title, or other evidence of ownership, as prescribed by the department. The registration receipt shall be delivered to the owner and shall contain upon its face the date issued, the name and address of the owner, the registration number assigned to the vehicle, the title number assigned to the owner of the vehicle, the amount of the fee paid, the amount of tax paid pursuant to section 423.7, the type of fuel used, and a description of the vehicle as determined by the department and upon the reverse side a form for notice of transfer of the vehicle.

**PARAGRAPH DIVIDED.** The county treasurer shall maintain in the county record system information contained on the registration receipt. The information shall be accessible by registration number and shall be open for public inspection during reasonable business

hours. Copies the department requires shall be sent to the department in the manner and at the time the department directs.

**PARAGRAPH DIVIDED.** The certificate of title shall contain upon its face the identical information required upon the face of the registration receipt. In addition, the certificate of title shall contain a statement of the owner's title, the amount of tax paid pursuant to section 423.7, the name and address of the previous owner, and a statement of all security interests and encumbrances, as shown in the application, upon the vehicle described including the nature of the security interest, date of notation, and name and address of the secured party. The certificate shall bear the seal of the county treasurer, the signature of the county treasurer or that of the deputy county treasurer, and shall provide space for the signature of the owner. The owner shall sign the certificate of title in the space provided with pen and ink upon its receipt. The certificate of title shall contain upon the reverse side a form for assignment of title or interest and warranty by the owner, for reassignments by a licensed dealer and for application for a new certificate of title by the transferee as provided in this chapter. However, titles for mobile homes shall not be reassigned by licensed dealers. All certificates of title shall be typewritten or printed by other mechanical means.

**PARAGRAPH DIVIDED.** The original certificate of title shall be delivered to the owner if no security interest or encumbrance appears ~~thereon~~ on the certificate. Otherwise the certificate of title shall be delivered by the county treasurer to the person holding the first security interest or encumbrance as shown in the certificate. The county treasurer shall maintain in the county records system information contained on the certificate of title. The information shall be accessible by title certificate number for a period of three years from the date of notification of cancellation of title or that a new title has been issued as provided in this chapter. Copies the department requires shall be sent to the department in the manner and at the time the department directs. The department shall designate a uniform system of title numbers to indicate the county of issuance.

Sec. 2. Section 321.45, subsection 4, Code 1987, is amended to read as follows:

4. Within seven days of the sale and delivery of a mobile home, the dealer making the sale shall certify to the county treasurer of the county where the unit is delivered, the name and address of the purchaser, the point of delivery to the purchaser, and the make, year of manufacture, taxable size, and identification number of the unit. A mobile home dealer, as defined in section 322B.2, shall within fifteen days of acquiring a used mobile home, titled in Iowa, apply for and obtain from the county treasurer of the dealer's county of residence a new certificate of title for the mobile home.

Sec. 3. Section 321.46, subsection 2, Code 1987, is amended to read as follows:

2. Upon filing the application for a new registration and a new title, the applicant shall pay a title fee of ten dollars and a registration fee prorated for the remaining unexpired months of the registration year. However, no title fee shall be charged to a mobile home dealer applying for a certificate of title for a used mobile home, titled in Iowa, as required under section 321.45, subsection 4. The county treasurer, if satisfied of the genuineness and regularity of the application, and in the case of a mobile home, that taxes are not owing under chapter 135D, and that applicant has complied with all the requirements of this chapter, shall issue a new certificate of title and, except for a mobile home, a registration card to the purchaser or transferee, shall cancel the prior registration for the vehicle, and shall forward the necessary copies to the department on the date of issuance, as prescribed in section 321.24. Mobile homes titled under chapter 448 that have been subject under section 446.18 to a scavenger sale in a county, shall be titled in the county's name, with no fee and the county treasurer shall issue the title.

Sec. 4. Section 321.49, Code 1987, is amended by adding the following new subsection:

**NEW SUBSECTION. 3.** A mobile home dealer who acquires a used mobile home, titled in Iowa, and who does not apply for and obtain a certificate of title from the county treasurer of the dealer's county of residence within fifteen days of the date of acquisition, as required

under section 321.45, subsection 4, is subject to a penalty of ten dollars. A certificate of title shall not be issued to the mobile home dealer until the penalty is paid.

Sec. 5. Section 321.104, subsection 6, Code 1987, is amended to read as follows:

6. For a dealer to sell or transfer a mobile home without delivering to the purchaser or transferee a certificate of title, or a manufacturer's or importer's certificate properly assigned to the purchaser, or to transfer a mobile home without disclosing to the purchaser the owner of the mobile home in a manner prescribed by the department pursuant to rules, or to fail to certify within seven days to the proper county treasurer the information required under section 321.45, subsection 4, or to fail to apply for and obtain a certificate of title for a used mobile home, titled in Iowa, acquired by the dealer within fifteen days from the date of acquisition as required under section 321.45, subsection 4.

Sec. 6. Section 322B.6, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 7. Failing to apply for and obtain from a county treasurer a certificate of title for a used mobile home, titled in Iowa, acquired by the dealer within fifteen days from the date of acquisition, as required under section 321.45, subsection 4.

Approved May 14, 1987

## CHAPTER 131

### LONG-TERM CARE INSURANCE

*S.F. 276*

**AN ACT** relating to the regulation of long-term care insurance.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. NEW SECTION. 514G.1 PURPOSE.

The purpose of this chapter is to promote the public interest, to promote the availability of long-term care insurance, to protect applicants for long-term care insurance from unfair or deceptive sales or enrollment practices, to establish standards for long-term care insurance, to facilitate public understanding and comparison of long-term care insurance policies, and to facilitate flexibility and innovation in the development of long-term care insurance coverage.

Sec. 2. NEW SECTION. 514G.2 SCOPE.

This chapter applies to policies delivered or issued for delivery in this state on or after the effective date of this Act. This chapter does not supersede the obligations of entities subject to this chapter to comply with the substance of other applicable insurance laws not in conflict with this chapter, except that laws and rules designated and intended to apply to medicare supplement insurance policies shall not be applied to long-term care insurance. A policy which is not advertised, marketed, or offered as long-term care insurance or nursing home insurance need not meet the requirements of this chapter.

Sec. 3. NEW SECTION. 514G.3 SHORT TITLE.

This chapter may be known and cited as the "Long-Term Care Insurance Act".

Sec. 4. NEW SECTION. 514G.4 DEFINITIONS.

As used in this chapter, unless the context requires otherwise:

1. "Long-term care insurance" means an insurance policy, insurance contract, insurance certificate, or rider, which is advertised, marketed, offered, or designed to provide coverage for not less than twelve consecutive months for each covered person on an expense incurred, indemnity, prepaid, or other basis; for one or more necessary or medically necessary diagnostic, preventive, therapeutic, rehabilitative, maintenance, or personal care service, provided in a